

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, FEBRUARY 24, 2014**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:04 p.m. on Monday, February 24, 2014, with Councillor Lewis presiding.

Councillor Scales led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*1 ABSENT: Hunter*

A quorum of twenty-eight members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Osili recognized his wife and all those in attendance in support of the “ban the box” proposal. Councillor Sandlin recognized Dr. Thomas J. Little, Jr., Perry Township School Superintendent, and John Morris, President of the Perry Township School Board. Councillor Oliver recognized community activists, Mr. and Mrs. Cornell Burris.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE  
COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND  
MARION COUNTY, INDIANA

*Journal of the City-County Council*

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, February 24, 2014, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Maggie A. Lewis  
President, City-County Council

February 5, 2014

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Monday, February 10, 2014 a copy of a Notice of Public Hearing on Proposal Nos. 19 and 20, 2014, said hearing to be held on Monday, February 24, 2014, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/NaTrina DeBow  
Clerk of the City-County Council

February 30, 2014

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, NaTrina DeBow, the following ordinances:

FISCAL ORDINANCE NO. 1, 2014 – approves an appropriation of \$350,000 in the 2014 Budget of the Public Defender Agency (Cumulative Capital Improvement Fund) to fund the public defender information system interface with the superior court's Odyssey case management system

FISCAL ORDINANCE NO. 3, 2014 - approves an appropriation of \$950,000 in the 2014 Budget of the Department of Public Works (Federal Stimulus Funds) to develop an energy efficiency loan program and fund energy efficiency upgrades to the City Market, funded by a Department of Energy grant

GENERAL RESOLUTION NO. 1, 2014 – approves a resolution and economic development plan establishing the Madison Avenue Economic Development Area

GENERAL RESOLUTION NO. 2, 2014 – approves the statement of benefits for 7600 Rockville Road LLC as an applicant for tax abatement for property located in an Economic Revitalization Area

GENERAL RESOLUTION NO. 3, 2014 – approves the statement of benefits of Applied Composites Engineering, Inc, an applicant for tax abatement in an economic revitalization area

SPECIAL RESOLUTION NO. 1, 2014 – recognizes Keep Indianapolis Beautiful's Adopt-A-Block program

SPECIAL RESOLUTION NO. 2, 2014 – recognizes the collaborative efforts of the many agencies during the January 2014 winter storm

SPECIAL RESOLUTION NO. 3, 2014 – approves the amounts, locations and programmatic operation of certain projects to be funded from Community Development Grant Funds

SPECIAL RESOLUTION NO. 4, 2014 – determines the need to lease approximately 3,142 square feet of space at the Julian Center (2011 N. Meridian Street) for use by IMPD domestic violence detectives

Respectfully,  
s/Gregory A. Ballard, Mayor

February 24, 2014

NOW, THEREFORE, BE IT RESOLVED by the Board of School Trustees of Metropolitan School District of Decatur Township as follows:

1. The Board now determines that it cannot carry out its educational duty unless it imposes a referendum tax levy under IC 20-46-1-8.
2. The Board further determines that a referendum tax levy should be imposed under IC 20-46-1-8 to replace property tax revenue that the School Corporation will not receive because of the application of the credit under IC 6-1.1-20-6.
3. The Board hereby determines that a referendum be placed on the ballot for the May 6, 2014 election.
4. In accordance with IC 20-46-1-10, the question to be submitted to the voters shall read as follows: "For the seven (7) calendar years immediately following the holding of the referendum, shall the Metropolitan School District of Decatur Township impose a property tax rate that does not exceed twenty-nine and eighty-six hundredths cents (\$0.2986) on each one hundred dollars (\$100) of assessed valuation and that is in addition to all other property tax levies imposed by the School Corporation?"
5. The Secretary of the Board of Education shall certify a copy of this resolution to the Marion County City-County Council pursuant to Indiana Code 20-46-1-8, and any other necessary entity. Any officer of the School District, the Superintendent and/or Chief Financial Officer be, and hereby is, authorized, empowered and directed, on behalf of the School District, to take any and all action as such person deems necessary or desirable to effectuate the foregoing resolutions, and any such actions heretofore made or taken be, and hereby are, ratified and approved.

Passed and adopted this 14<sup>th</sup> day of January, 2014.

s/Judith Call, Board President  
s/Larry Taylor, Board Secretary

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed.

Councillor Mansfield moved, seconded by Councillor Talley, to move Proposal No. 65, 2014 immediately following Proposal No. 59, 2014, so that the school children receiving that recognition can get out of the meeting at a decent hour. The motion carried by a unanimous voice vote.

Without objection, the agenda was adopted as amended.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journals of January 27, 2014. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 59, 2014. The proposal, sponsored by All Councillors, honors the life, legacy and unrelenting contributions of Dr. Beurt R. SerVaas. Councillors McQuillen and Lewis read the proposal, and presented family members with a framed copy of the document, a plaque of recognition, and a bouquet of flowers. Joan SerVaas, daughter of Dr. SerVaas, thanked the Council for the recognition. Councillor McQuillen moved, seconded by Councillor Lewis, for adoption. Proposal No. 59, 2014 was adopted by a unanimous voice vote.

Proposal No. 59, 2014 was retitled SPECIAL RESOLUTION NO. 5, 2014, and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 5, 2014**

A SPECIAL RESOLUTION honoring the life, legacy and unrelenting contributions of Dr. Beurt R. SerVaas.

WHEREAS, Beurt R. SerVaas was born to Beurt Hans and Lela Etta SerVaas on May 7, 1919 in Indianapolis, Indiana. He was a 1937 graduate of Shortridge High School, where his grades and activities earned him a scholarship to Indiana University (IU) Extension Division; and

WHEREAS, while attending Indiana University, SerVaas worked as a janitor to earn his board, and later aspired to learn Spanish by enrolling at the University of Mexico, where he lived with a Mexican family and earned his keep by teaching English to the children. He then returned to Indiana to complete his studies at IU, earning degrees in Chemistry, History, and Spanish, along with a teaching certificate before being called to serve in China during World War II; and

WHEREAS, after returning from war, Dr. SerVaas bought an electroplating company on the eastside of Indianapolis. This was just the beginning of his entrepreneurial endeavors. Over time, he bought several businesses throughout the country and around the world; and

WHEREAS, Dr. SerVaas served the Indianapolis community by rescuing failing businesses, saving thousands of local jobs, and serving on various boards and state commissions regarding health and education. He was elected to the Marion County Council in 1962, and held a seat on the City-County Council for 40 years, serving as Council President for nearly three decades, from 1973 to 2002; and

WHEREAS, Dr. SerVaas was one of the most influential political leaders in the city. Under his service and leadership on the Indianapolis-Marion County City-County Council, the political and governing landscape of Indianapolis and Marion County governments were forever changed by the county-wide restructuring known as Uni-Gov. He was also instrumental in the revival of downtown and helping Indianapolis thrust to prosperity and national recognition; and

WHEREAS, as a tribute to his visionary leadership, the City-County Building's public assembly room bears the name of Dr. Beurt SerVaas; and because of the contributions and service, Indianapolis will forever be a better place; and

WHEREAS, Dr. SerVaas passed away February 2, 2014. He leaves behind his wife of 60 years, Cory Synhorst SerVaas; children: Eric, Joan, Paul, Kristin, and Amy; 22 grandchildren; two great-granddaughters; a host of family and friends; and a life-long legacy of dedication to the City of Indianapolis and Marion County; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council proudly and respectfully honors the life, legacy and unrelenting contributions of Dr. Beurt R. SerVaas.

SECTION 2. The Council admirably pays tribute to Dr. SerVaas. He will be remembered for his great service to the City of Indianapolis and Marion County.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 65, 2014. The proposal, sponsored by Councillors Mansfield, Adamson, McQuillen, McHenry, Hickman, Scales, Talley, Gooden, Sandlin and Holliday, honors Greenbriar Elementary School and 10 other Indianapolis area schools for recycling over 33 tons of outdated telephone directories, thus helping to make Indianapolis environmentally friendly. Councillor Mansfield read the proposal and presented representatives with copies of the document and Council pins. Carrie Hamilton, executive director of Indy Recycling Initiative, and students Allison Barnes, Jalisa DeRouse, Mariah Smith and Bryson Hobbs, thanked the Council for the recognition. Councillor Mansfield moved, seconded by Councillor Adamson, for adoption. Proposal No. 65, 2014 was adopted by a unanimous voice vote.

Proposal No. 65, 2014 was retitled SPECIAL RESOLUTION NO. 6, 2014, and reads as follows:

February 24, 2014

CITY-COUNTY SPECIAL RESOLUTION NO. 6, 2014

A SPECIAL RESOLUTION honoring Greenbriar Elementary School and 10 other Indianapolis area schools for recycling over 33 tons of outdated telephone directories and for their efforts to make Indianapolis environmentally friendly.

WHEREAS, telephone book paper is made primarily from lumber production by-products, such as sawdust and wood chips and recycled paper waste, such as old directories; and

WHEREAS, recycled telephone books are then made into useful products, such as animal bedding, home insulation, bathroom tissue, cereal boxes, roofing shingles and new telephone books; and

WHEREAS, the Indiana Recycling Coalition, a not-for-profit organization, whose mission is to advance waste reduction, reuse, composting and recycling, supports telephone book recycling; and

WHEREAS, the YP Project ReDirectory phone book recycling program is a program of Indiana Recycling Coalition teaming with YP and Republic Waste Services; and

WHEREAS, Greenbriar Elementary School came in first place for this year's program by collecting almost 7.5 tons of directories; Sunnyside Elementary School placed second with over 7 tons and Fortville Elementary placed third with more than 4 tons; and

WHEREAS, additionally, almost 6.5 tons of directories were collected at public drop-off locations at Republic Services, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1: The Indianapolis City-County Council proudly recognizes the following schools for their participation in the YP Project ReDirectory school challenge: Greenbriar Elementary, Sunnyside Elementary, Fortville Elementary, Paul I. Miller Elementary #144, Southport High School, Bunker Hill Elementary, Fox Hill Elementary, Jonathan Jennings Elementary #109, CHOICE Academy at Decatur Central High School, Northview Middle School, and Herron High School.

SECTION 2: The Council congratulates all schools, parents, teachers and everyone in the community for participating in the total collection of over 39 tons of directories, and encourages continued efforts to keep Indianapolis beautiful.

SECTION 3: The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4: This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 60, 2014. The proposal, sponsored by Councillors Sandlin, Holliday, Miller and Shreve, recognizes Dr. Thomas J. Little, Jr. on being named Indiana's Superintendent of the Year for 2013. Councillors Shreve and Sandlin read the proposal and presented Dr. Little with a copy of the document and Council pin. Dr. Little thanked the Council for the recognition. Councillor Shreve moved, seconded by Councillor Sandlin, for adoption. Proposal No. 60, 2014 was adopted by a unanimous voice vote.

Proposal No. 60, 2014 was retitled SPECIAL RESOLUTION NO. 7, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 7, 2014

A SPECIAL RESOLUTION recognizing Dr. Thomas J. Little, Jr. on being named Indiana's Superintendent of the Year for 2013.

WHEREAS, Dr. Thomas J. Little, Jr. has served the Perry Township School District for more than five years. During his tenure he has brought about many innovations through his leadership skills and community engagement; and

WHEREAS, under the leadership of Dr. Little, the Perry Township School District has turned around a \$9 million shortfall, increased graduation rates to 92.2 percent and gained the community's support to grow and meet the needs of an increasingly diverse community; and

WHEREAS, in the past decade, Perry Township has become the home to a large and increasing number of Burmese refugees and through the leadership of Dr. Little the Perry Schools have initiated a variety of academic and support programs to allow the Burmese students to overcome language barriers and adapt to the culture of their new school environment; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Dr. Thomas J. Little, Jr. on being named Indiana's Superintendent of the Year for 2013.

SECTION 2. The Council wishes to extend its congratulations to Dr. Little on his accomplishments and express appreciation for demonstrating quality educational opportunities in the City of Indianapolis.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 61, 2014. The proposal, sponsored by Councillors Pfisterer, Lewis, Lutz and McHenry, recognizes Dan Wilson for being named the 2013 Middle School Principal of the Year for the state of Indiana. Councillors Lutz, McHenry and Pfisterer read the proposal and presented Mr. Wilson with a copy of the document and a Council pin. Mr. Wilson thanked the Council for the recognition. Councillor Pfisterer moved, seconded by Councillor Lutz, for adoption. Proposal No. 61, 2014 was adopted by a unanimous voice vote.

Proposal No. 61, 2014 was retitled SPECIAL RESOLUTION NO. 8, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 8, 2014

A SPECIAL RESOLUTION recognizing Dan Wilson for being named the 2013 Middle School Principal of the Year for the state of Indiana.

WHEREAS, by the Indiana Association of School Principals (IASP) named Dan Wilson, principal at Lynhurst 7<sup>th</sup> & 8<sup>th</sup> Grade Center, as the 2013 Middle School Principal of the Year for the State of Indiana; and

WHEREAS, Mr. Wilson has been part of the Metropolitan School District (MSD) of Wayne Township since 1995. He began as a paraprofessional at Fulton Junior High School., and later became a teacher at Ben Davis Junior High School. He was named assistant principal at South Wayne Junior High, now Lynhurst 7<sup>th</sup> & 8<sup>th</sup> Grade Center in 2002; and in 2006, Mr. Wilson was named Principal of the Lynhurst 7<sup>th</sup> & 8<sup>th</sup> Grade Center; and

WHEREAS, Mr. Wilson says two primary practices at Lynhurst have had the greatest impact on student achievement. "First, the school created a culture of high expectations and love, with having a college going culture that pushes kids toward high-order thinking and rigor, and supports them with love and a nurturing approach. Second, is the data team process within the school's departments, which includes the countless hours the teachers and administrators have spent developing lessons and assessments to closely monitor how well each student is learning; and

WHEREAS, Jeff Butts, MSD of Wayne Township Superintendent, stated "When you step into Lynhurst, you are immediately aware that it is a special place. Mr. Wilson has hired great people and cultivated a culture focused on each and every child as an individual. It is easy to see that Mr. Wilson's top priority is the students. His incredible leadership, through the best and worst of times, is exactly what earned him the recognition of his peers and his selection as the 2013 Indiana Middle School Principal of the Year"; and

WHEREAS, Mr. Wilson is one of two MSD Wayne principals who earned the Principal of the Year title in Marion County (IASP District 7) this year. Wendy Skibinski, who is now director of career and college readiness for the district, was named High School Principal of the Year for Marion County. Mrs. Skibinski is the former principal of

*February 24, 2014*

Ben Davis University High School, an early-college high school, which has had a 100 percent graduation rate two years in a row; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Dan Wilson for being named the 2013 Middle School Principal of the Year for the State of Indiana

SECTION 2. The Council congratulates Mr. Wilson on his achievement and thanks him for his sincere dedication to the education of his students and school.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 62, 2014. The proposal, sponsored by Councillor Adamson, recognizes Indy Eleven on their one-year anniversary. Councillor Adamson read the proposal and presented representatives with copies of the document and Council pins. Team Owner Irsal Osmir thanked the Council for the recognition. Councillor Adamson moved, seconded by Councillor Hickman, for adoption. Proposal No. 62, 2014 was adopted by a unanimous voice vote.

Proposal No. 62, 2014 was retitled SPECIAL RESOLUTION NO. 9, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 9, 2014

A SPECIAL RESOLUTION recognizing Indy Eleven on their One Year Anniversary.

WHEREAS, on January 16, 2013 the Indy Pro Soccer was officially welcomed into the North American Soccer League with the Brickyard Battalion leading the celebrations; and

WHEREAS, on April 25, 2013 Indy Pro Soccer became Indy Eleven, with the club name, logo and colors unveiled on Monument Circle. The date fell 152 years after the mustering of Indiana's 11th Infantry Regiment; and

WHEREAS, days after Indy Eleven's "covert operation" to deliver Tony Kanaan a shirt from the club in his native Brazilian colors, IndyCar's #11 driver broke through to win his first Indy 500 on May 26, 2013; and

WHEREAS, on June 11, 2013 Indy Eleven followed through on its promise to hire a coach with local ties by naming former Indiana University and U.S. Men's National Team goalkeeper Juergen Sommer as its first sideline boss; and

WHEREAS, Mr. Sommer hit the ground running as just five weeks after his hiring the new coach holds his first tryout camp, consisting mostly of local products looking to make the roster of their new hometown club at Michael A. Carroll Stadium on July 16, 2013; and

WHEREAS, on August 1, 2013, Indy Eleven co-hosted the International Champions Cup match between Chelsea and Inter. where 41,983 fans descended upon Lucas Oil Stadium, the largest attended soccer match in the state's history; and

WHEREAS, nearly a thousand fans welcomed goalkeeper Kristian Nicht as the team's first player and glimpse the team's Diadora jerseys adorned by Honda, the team's first Corporate Partner at the Rathskeller Biergarten on October 1, 2013; and

WHEREAS, on November 11, 2013 the Club announced it has reached 7,000 season ticket deposits and adds Baba Omosegbon and goalkeeper Nathan Sprenkel as the first two players with Hoosier State ties named to the roster; and

WHEREAS, on November 26, 2013 defender Erick Norales became Indy Eleven's fourth player. The Honduran National Team performer had made 30 appearances for the "catrachos" since his senior debut in 2007; and

WHEREAS, on December 11, 2013 Indy Eleven doubled its roster size with four new additions: defenders Kyle Hyland and Chris Wey; midfielder Don Smart; and forward Pedro Mendes; and

WHEREAS, on December 19, 2013 the long wait for Indy Eleven's official debut in the NASL will finally end on Saturday, April 12, when Indiana's expansion outfit will host the Carolina RailHawks at Carroll Stadium to kick off the 2014 Spring Season; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Indy Eleven on their One Year Anniversary.

SECTION 2. The Council heartily congratulates Indy Eleven on its anniversary and wishes it continued growth and success as it begins play April 12<sup>th</sup>.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 63, 2014. The proposal, sponsored by Councillor Adamson, recognizes Spay-Neuter Services of Indiana, Inc. for providing affordable spay and neuter options for limited income pet owners. Councillor Adamson read the proposal and presented representatives with copies of the document and Council pins. Sherry Storms, president of Spay Neuter Services of Indiana, thanked the Council for the recognition. Councillor Adamson moved, seconded by Councillor Scales, for adoption. Proposal No. 63, 2014 was adopted by a unanimous voice vote.

Proposal No. 63, 2014 was retitled SPECIAL RESOLUTION NO. 10, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 10, 2014

A SPECIAL RESOLUTION recognizing Spay-Neuter Services of Indiana, Inc. for providing affordable spay and neuter options for limited-income pet owners.

WHEREAS, Spay-Neuter Services of Indiana, Inc. (SNSI) was formed as a 501(c)(3) in 1977. As the only statewide organization providing financial assistance to perform spay-neuter surgeries, SNSI partners with approximately 100 veterinarians, including more than 20 serving the Indianapolis metropolitan area. Participating vets agree to perform low-cost surgeries for pet owners meeting the criteria specified in the Spay-Neuter Assistance Program (SNAP); and

WHEREAS, Indianapolis Animal Care and Control (IACC) processed 15,614 animals. Approximately 8,000 animals were destroyed at Indianapolis' two large animal shelters IN 2012; and

WHEREAS, poverty is statistically associated with high shelter intake rates. Cost is a primary barrier to having surgeries performed, even in instances where pet owners have access to low-cost spay/neuter clinics. Financial Assistance Programs offer spay/neuter surgeries at \$20 or less to pet owners who live at or near the poverty level; and

WHEREAS, SNSI provides free surgery certificates to municipal shelter and rescue groups to help them spay/neuter animals prior to adoption into permanent, loving homes; and

WHEREAS, SNSI is focused on providing surgeries for Community Cats and Pit Bulls/Large Dogs as these types of animals can quickly fill shelters, but are infrequently adopted; and

WHEREAS, the February *Have a Heart* and the October *Treat Your Tails* programs provide access to low-cost surgeries to pet owners that need assistance, but do not qualify for SNAP; and

WHEREAS, SNSI's 2014 plans include: marketing the Pet Friendly license plate; expanding statewide partnerships; launching a new web-based SNAP application; and launching a Community Cat program to assist animal welfare organizations that trap-neuter-return feral and free-roaming cats; now, therefore:



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BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Spay-Neuter Services of Indiana, Inc. for providing affordable spay and neuter options for low-income pet owners.

SECTION 2. The Council applauds SNSI's efforts and wishes it and its volunteers unceasing success.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 64, 2014. The proposal, sponsored by Councillor Adamson, supports a local food system that provides everyone access to healthy and nutritious food, enhances ecology, and creates meaningful economic and civic opportunities. Councillor Adamson read the proposal and presented representatives with copies of the document and Council pins. Ted Grain and Esther McKelly, Indy Food Council, thanked the Council for the recognition. Councillor Adamson moved, seconded by Councillor Barth, for adoption. Proposal No. 64, 2014 was adopted by a unanimous voice vote.

Proposal No. 64, 2014 was retitled SPECIAL RESOLUTION NO. 11, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 11, 2014

A SPECIAL RESOLUTION supporting a local food system that provides everyone access to healthy and nutritious food, enhances ecology, and creates meaningful economic and civic opportunities.

WHEREAS, there is a lack of access and availability of affordable healthy food in the community. This lack of access and availability of healthy food, including fresh fruits and vegetables, is a contributor to negative health outcomes including higher than average rates of cancer, diabetes, obesity and other health concerns. This can result in poor food choices, whereby families opt for less-healthy foods; and

WHEREAS, only 21% of Hoosiers get the recommended five or more cups of fruits and vegetables per day. Children in some communities reside in "food deserts," which contain very little access to healthy food within convenient distance to their homes. These food deserts need to increase access to healthy food options through incentives for new food retailers, farmers' markets and other proactive strategies for making such food available; and

WHEREAS, approximately two-thirds of Marion County adults and 40% of our children are overweight or obese. Obesity is a major contributor to heart disease, stroke, diabetes, cancer, arthritis, and diminished overall quality of life; and

WHEREAS, Diverse communities in our city struggle with issues of diabetes and obesity at alarming rates; and

WHEREAS, educating families on the cornerstones of nutrition and healthy eating is integral to the maintenance of healthy families. Community institutions must be incentivized to provide nutrition education for families; and

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council supports a local food system that provides everyone access to healthy and nutritious food, enhances ecology, and creates meaningful economic and civic opportunities.

SECTION 2. The City-County Council supports the establishment of the Indy Food Council, a coalition of nonprofit, business, government, and citizen leaders whose mission is to connect food system stakeholders, catalyze ideas, and advance initiatives to grow a sustainable food system that improves the health and quality of life for all.

SECTION 3. The City-County Council supports improved access to healthy food for Indianapolis residents.

SECTION 4. The City-County Council supports improving degraded lands and reuse of vacant land in our neighborhoods through urban growing.

SECTION 5. The City-County Council encourages the elimination of waste through food recovery and composting.

SECTION 6. The City-County Council will, through the use of economic development tools, work to eradicate food deserts and increase food security in our city,

SECTION 7. The City-County Council will encourage the full use by Indianapolis residents of national food access programs.

SECTION 8. The City-County Council will, through coordination with the Indianapolis Public School Board, work with schools to source local, healthy food options for meals and snacks wherever possible.

SECTION 9. The City-County Council will spur economic development and create jobs through encouraging the local food economy, supporting farmer's markets, urban farms, and farm-to-school projects.

SECTION 10. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 11. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 383, 2013. Councillor Gray reported that the Municipal Corporations Committee heard Proposal No. 383, 2013 on February 12, 2014. The proposal, sponsored by Councillor Barth, reappoints Maggie Lewis to the Capital Improvement Board of Managers. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gray moved, seconded by Councillor Talley, for adoption. Proposal No. 383, 2013 was adopted on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*2 NAYS: Brown, Mahern*  
*1 ABSENT: Hunter*

Proposal No. 383, 2013 was retitled COUNCIL RESOLUTION NO. 25, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 25, 2014

A COUNCIL RESOLUTION reappointing Maggie Lewis to the Capital Improvement Board of Managers.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Capital Improvement Board of Managers, the Council reappoints:

Maggie Lewis

SECTION 2. The appointment made by this resolution is for a term ending on January 15, 2015. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualified.

PROPOSAL NO. 384, 2013. Councillor Gray reported that the Municipal Corporations Committee heard Proposal No. 384, 2013 on February 12, 2014. The proposal, sponsored by Councillors Lewis and Barth, appoints Gregory Bedan to the Indianapolis Public Transportation Corporation Board of Directors. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gray moved, seconded by

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Councillor Talley, for adoption. Proposal No. 384, 2013 was adopted on the following roll call vote; viz:

*28 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*0 NAYS:*  
*1 ABSENT: Hunter*

Proposal No. 384, 2013 was retitled COUNCIL RESOLUTION NO. 26, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 26, 2014

A COUNCIL RESOLUTION appointing Gregory Bedan to the Indianapolis Public Transportation Corporation Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Public Transportation Corporation Board of Directors, the Council appoints:

Gregory Bedan

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2017. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 28, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 28, 2014 on February 3, 2014. The proposal, sponsored by Councillors McQuillen and Adamson, reappoints John Scott Keller to the Indianapolis Housing Agency Board of Directors. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 28, 2014 was adopted on the following roll call vote; viz:

*27 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*1 NAY: Cain*  
*1 ABSENT: Hunter*

Proposal No. 28, 2014 was retitled COUNCIL RESOLUTION NO. 27, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 2014

A COUNCIL RESOLUTION reappointing John Scott Keller to the Indianapolis Housing Agency Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Housing Agency Board of Directors, the Council reappoints:

John Scott Keller

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2017. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 30, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 30, 2014 on February 5, 2014. The proposal, sponsored by Councillors Barth and Lewis, appoints Kevin Muñoz to the Citizens Police Complaint Board. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 30, 2014 was adopted on the following roll call vote; viz:

*28 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*0 NAYS:*  
*1 ABSENT: Hunter*

Proposal No. 30, 2014 was retitled COUNCIL RESOLUTION NO. 28, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 28, 2014

A COUNCIL RESOLUTION appointing Kevin Muñoz to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Kevin Muñoz

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2016. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Robinson asked for consent to vote on Proposal Nos. 67-74, 2014 together. Councillor Cain asked that they be voted on separately.

PROPOSAL NO. 67, 2014. The proposal, sponsored by Councillors Lewis and Barth, reappoints Mary Clark to the Metropolitan Board of Zoning Appeals, Division I. Councillor Robinson moved, seconded by Councillor Adamson, for adoption.

Councillor Lutz stated that the previous four proposals approving board appointments all went through the Committee process. There are 16 more appointment proposals being introduced tonight and referred to committees. These are appointments for the Zoning Appeals Board and the Metropolitan Development Commission, which are very critical appointments, which are not going through Committee first. He said that he is okay with this particular proposal because he knows Ms. Clark and she does a good job, but these boards have a substantial amount of power, and these proposals need to go to committee. He said that in committee, the appointees' resumé's are provided, but there are no resumé's in their packets this evening. He said that he has no doubt they are all good people, but they need to go through the proper process to allow for public input on those individuals who are making land use decisions which affect neighborhoods.

General Counsel Fred Biesecker said that the administration asked them to put these on the agenda and vote on them this evening due to a potential problem with terms expiring. He said

that if they are not approved tonight, they run the risk that boards will be short of members for a quorum in order to handle upcoming business.

Councillor Lutz said that a lack of preparation on the administration's part does not constitute an emergency on the part of the Council. He said that they should have gotten them the information quicker in order to make appointments in a timely manner. He said that he does not necessarily have a problem with these appointees, but he is not sure how the public feels about not having due process. He said that they should not close out public comment on these important boards. It is not a matter of legality, but a matter of the right of citizens to be heard.

Councillor Gooden moved, seconded by Councillor Lutz, to send proposal Nos. 67-74, 2014 to committee for a proper hearing.

Councillor Mahern said that previous comments he made resulted in the loss of a committee assignment, and further comments may cause him to lose more, but he will speak again, anyway. He said that very rarely can citizens stand before this full body and address them. The committee hearing is the only opportunity for them to speak as to those who are being appointed to make decisions that affect their quality of life.

Councillor Freeman agreed and said that any body is only as good as its process, and the process is to send these types of appointments through committee. He said that maybe no public testimony will be forthcoming, but the opportunity needs to be given. He said that he does not care who dropped the ball in getting these appointments in in a timely fashion, but the public needs to be heard.

Councillor Robinson withdrew his motion for adoption on Proposal No. 67, 2014, and Councillor Adamson withdrew his second.

Councillor Pfisterer said that most of these are reappointments, so it lessens the severity of discussion; but one is a new appointment, and she does not have any information on that person or even know if they are a resident of Marion County. She said that she agrees they should be sent to committee, as the decisions these individuals make impact property owners.

Councillor Mansfield said that these are very important boards, and she understands they are trying to accommodate the administration's request, but she agrees they should go to committee.

Councillor Oliver asked which motion is on the floor. Mr. Biesecker said that the motion to return the proposal to committee is on the floor. Councillor Lutz stated that since they originally asked to take these separately, and Proposal No. 67, 2014 is the proposal on the table, perhaps they should vote on it first, and then take the other proposals together. Consent was given.

Proposal No. 67, 2014 was referred to the Metropolitan and Economic Development Committee on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*2 NAYS: Gray, Oliver*  
*0 NOT VOTING:*  
*1 ABSENT: Hunter*

PROPOSAL NO. 68, 2014. The proposal, sponsored by Councillors Lewis and Barth, reappoints Addison Simpson to the Metropolitan Board of Zoning Appeals, Division I. PROPOSAL NO. 69, 2014. The proposal, sponsored by Councillors Lewis and Barth, reappoints Tamara Brown to the Metropolitan Board of Zoning Appeals, Division II. PROPOSAL NO. 70, 2014. The proposal, sponsored by Councillors Lewis and Barth, reappoints Melissa Coxey to the Metropolitan Board of Zoning Appeals, Division II. PROPOSAL NO. 71, 2014. The proposal, sponsored by Councillors Lewis and Barth, reappoints Jennifer Keefe to the Metropolitan Board of Zoning Appeals, Division III. PROPOSAL NO. 72, 2014. The proposal, sponsored by Councillors Lewis and Barth, reappoints Lena Hackett to the Metropolitan Development Commission. PROPOSAL NO. 73, 2014. The proposal, sponsored by Councillors Brown, Lewis and Barth, appoints Jesse Lynch to the Metropolitan Board of Zoning Appeals, Division III. PROPOSAL NO. 74, 2014. The proposal, sponsored by Councillors Lewis and Barth, reappoints William Selm to the Metropolitan Development Commission. Councillor Robinson moved, seconded by Councillor Lutz, to send Proposal Nos. 68-74, 2014 to committee. Proposal Nos. 68-74, 2014 were referred to the Metropolitan and Economic Development Committee on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*2 NAYS: Gray, Oliver*  
*0 NOT VOTING:*  
*1 ABSENT: Hunter*

PROPOSAL NO. 75, 2014. The proposal, sponsored by Councillor Simpson, amends Council Resolution No. 63, 2013 to add an eleventh member to the Regional Operations Center Investigating Committee. Councillor Simpson moved, seconded by Councillor Talley, for adoption.

Councillor Freeman said that late last year, he was one of two Republicans who agreed to co-sponsor an ordinance to form this committee, under the provision that there would be an equal number of Republicans and Democrats, so that the issue would not become politicized. As a former prosecutor, he felt equal representation was the fairest way to get to the bottom of what happened, and in the process, they could make changes that would improve the lease approval process. He was on board for this endeavor and signed up for that. However, after a few meetings it has become clearly apparent that this is not the intended target of this committee, with the use of subpoenas amid disagreement of members, and with headline-grabbing attention, the Council issued a subpoena. Councillor Freeman said that at the beginning, they went to great pains to come up with a meeting schedule that worked for everyone, then there was a deadlock vote of 5-5 at that first meeting, and the chair then called a special additional meeting a week later. Councillor Freeman said that he sent a letter asking what they wanted to subpoena, what it was related to, and a paper trail of how and what was asked of what personnel before resorting to a subpoena. He said that he is only one of 29 members of this Council, but he still has yet to receive that information. He said that one item they are wanting to issue a subpoena for is a PowerPoint presentation that was already presented to the Council, which should be already in the Council's records. He said that the Council is only as good as its procedures, and if they go down this road, they will continue to come up with procedures, decide they do not like them, then change them in the middle of the game. He said that no one gets four outs in the middle of the game, it seems, unless they are on this Council; then, they can change the game in the middle however they see fit.

Councillor Oliver said that he supports the proposal, as they have asked for these documents since November 15, and the administration has not complied. He said that the vote in committee was divided down political lines and it smells highly of a cover-up. The documents were not submitted voluntarily and they are trying to get to the truth. When the vote comes out strictly down party lines, it indicates one side is voting to obstruct, while the other is trying to get to the truth. He said that this is a shame for taxpayers.

Councillor Evans moved, seconded by Councillor Freeman, to send Proposal No. 75, 2014 to Committee. The motion to send to committee failed on the following roll call vote; viz:

*13 YEAS: Cain, Evans, Freeman, Gooden, Holliday, Lutz, Mahern, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Shreve*

*15 NAYS: Adamson, Barth, Brown, Gray, Hickman, Lewis, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Scales, Simpson, Talley*

*1 ABSENT: Hunter*

Councillor Adamson said that the intent of the committee was the discovery of information. Members of the committee are obstructing that. He said that \$57,000 of taxpayer money is spent on this lease every month, and they need to get to the bottom of the problem.

Councillor Sandlin said that he has worked in investigations, both in the public and private sector, for over 40 years. He said that they are not saying they are not interested in getting the documents, but they want to see the process work the way it is intended. When Councillors and committee members have not even seen the request for documents themselves, or how or when those documents were requested and what the response was, it makes it hard to support other methods. He said that this needs to be handled in an orderly discovery process similar to a court, with discussion and negotiation on providing discovery back and forth. He said that he has not seen this taking place and has not received that information. At the last committee meeting, when discussing the update, two counsels were denied an opportunity to provide input and public testimony was denied, so it has not been an open process. He said that he, as a member of the committee, did not agree to asking Mr. Biesecker to conduct an investigation ad hoc; and the fellow with the contract who was specifically hired to oversee the development agreement and follow the tracking has not even been approached to provide any information. He said that moving forward with this subpoena bullies the body's way through the process without being respectful, and this is not being done with care and dignity.

Councillor Hickman said that the Office of Corporation Counsel was asked to produce the documents within 30 days, and they asked for an extension and were granted it. She said that she is a member of the committee, also, and every request is included in the committee members' packets. She said that Councillor Sandlin may be a member but is not educated on what this committee is doing. Some very specific questions need to be answered, and if they already knew the answers, they would not need this committee. She said that they have already found some terrible things that were done that took money away from public safety, and they need to get this right. She said that the committee agreed that Mr. Biesecker would receive all information and filter it to the committee. She moved, seconded by Councillor Adamson, to call the question and end debate.

Councillor McQuillen said that they should allow members of the public to speak to this proposal, since they are foregoing the committee process. President Lewis said that Councillor McQuillen is out of order, and this proposal is not up for public testimony. Mr. Biesecker said that the

Council Rules do not call for public comment, and the motion to call the question is on the floor and is non-debatable.

Debate was ended on the following roll call vote; viz:

*15 YEAS: Adamson, Barth, Brown, Gray, Hickman, Lewis, Mansfield, Mascari, Moriarty  
Adams, Oliver, Osili, Robinson, Scales, Simpson, Talley  
13 NAYS: Cain, Evans, Freeman, Gooden, Holliday, Lutz, Mahern, McHenry, McQuillen,  
Miller, Pfisterer, Sandlin, Shreve  
1 ABSENT: Hunter*

Proposal No. 75, 2014 was adopted on the following roll call vote; viz:

*15 YEAS: Adamson, Barth, Brown, Gray, Hickman, Lewis, Mansfield, Mascari, Moriarty  
Adams, Oliver, Osili, Robinson, Scales, Simpson, Talley  
13 NAYS: Cain, Evans, Freeman, Gooden, Holliday, Lutz, Mahern, McHenry, McQuillen,  
Miller, Pfisterer, Sandlin, Shreve  
1 ABSENT: Hunter*

Councillors Mahern, Pfisterer, Scales, Holliday, Gray, Mansfield, Sandlin, Miller, McHenry, Oliver, Brown, Freeman and Hickman asked for consent to explain their votes. Consent was given.

Councillor Mahern said that if previous comments do not cost him his committee assignment, these might. He said that this proposal will destroy any bi-partisanship that may or could have existed. While this vote was not completely partisan, since he voted against it and Councillor Scales voted for it, these kind of actions mean that the full Council does not decide matters, but only a few. He said that he has a strong difference of opinion about the process that is being followed, and this is again a sad day in this Council.

Councillor Pfisterer said that while some have been making accusations of obstructionism against Republican members of the committee, she feels the other side was obstructing. She said that they began the last meeting by not allowing for any public comment, comment that could have provided some answers to the questions being asked. She said that this process seems to lean toward a predetermined outcome, and it was clear gaining a subpoena was the objective of the meeting, not to actually find information. She said that one of the things being requested is a set of e-mails that span over a month's time, and the request was very vague and this request is very time-consuming to find all those e-mails. She said that she agrees information needs to come out, but the approach seems to be very narrow and tailored to a specific objective.

Councillor Scales said that she has been watching the committee proceedings, and she does not understand why each and every member would not do all they could to make sure all documents they requested would find their way to the committee, so that the committee could truly investigate what went wrong. She said that months have gone by and the attorneys keep stonewalling, but suddenly a subpoena has generated more interest. She said that if Councillor Freeman does not like the process, she would be glad to take his place on the committee.

Councillor Holliday said that representatives from the Office of Corporation Counsel (OCC) were at the meeting and they acknowledged receipt of the requests but explained that many of those items could not be found. He said that he has seen no evidence that pursued the question of why these could not be found. He said that at the last meeting, it was communicated that there are e-mails that are now relevant, when before they said they were not. He said that it does not seem



that the committee is trying to find a way to make the leasing process better, but are trying to make some kind of point. He said that it does not make sense to have staff spend hours and hours chasing down documents that may or may not be found.

Councillor Gray said that it is embarrassing that OCC said they could not find this information, and now he can understand why the contract was so lopsided to begin with.

Councillor Mansfield said that she had hoped they could move forward with this issue in a bi-partisan manner, but after three months of still not receiving documents, it is clear they had to break the log-jam. She said that they need to have documents before they can question people or take public testimony. She said that for whatever reason, the City did not have some of these documents, so they had to look to Alex Carroll for some of them, but could not get him to act until they forced the issue. She said that she hopes going forward that they can be more transparent, as some of the members of the committee have not even filed a disclosure form, and it seems are bent on stonewalling.

Councillor Sandlin said that this seems to be political, and they have heard from many involved about asking vague questions and documents that cannot be found. He said that someone unilaterally created a requirement for members of this committee to file a disclosure, but this is not anywhere in the Council Rules and is also not required by the ordinance. He said that he files his ethics disclosure forms that he is required by law to file, and he does not see any reason why he should have to file a separate form for this committee. He said that if it is truly necessary for members to file a separate disclosure form for every special committee they serve on, then this matter needs to be brought before the full Council to require it in every instance, and not just because someone made a decision to require it on one.

Councillor Miller said that he does not understand the need for a change in the make-up of a committee that was clearly intended by the vote of this full body to be bi-partisan. He said that he has received no information to make that decision.

Councillor McHenry said that many of the documents being requested are a matter of public record and are already out there for anyone in the public to look at, and she is not understanding why they are saying information is not being received.

Councillor Oliver said that they asked for documents and were told some of that information was lost or they did not have it. He said that there is something smelly about information not being available, and a subpoena is in order. He said that they are trying to prevent a Watergate-like cover-up.

Councillor Brown said that this body spent 15 minutes in Republicans explaining that they are not obstructionists, yet the Democrats voted for the proposal, and the Republicans voted against it.

Councillor Freeman said that if the political party in power of the Council now changes, then the other side will scream that process is not being followed, if they choose to emulate the present leadership's actions. He said that this Council has gotten far off the path of the correct process and he hopes all members and the public remember this if party control changes.

Councillor Hickman said that they are here to save dollars, and they are spending dollars on committee meetings in order to get information. If she finds someone who does not want to give that information to her, it makes her want it even more.

Proposal No. 75, 2014 was retitled COUNCIL RESOLUTION NO. 29, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 29, 2014

PROPOSAL FOR A COUNCIL RESOLUTION amending Council Resolution No. 63, 2013 (Proposal No. 332, 2013) to add an eleventh member to the Regional Operations Center ("ROC") Investigating Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 2 of Council Resolution No. 63, 2013 (Proposal No. 332, 2013) is hereby amended to read as follows: The committee shall be composed of ~~ten (10)~~ eleven (11) members of the Council, with ~~five (5)~~ six (6) members to be appointed by the President of the Council and five (5) members to be appointed by the Minority Leader. The President of the Council shall designate one (1) of the ~~ten (10)~~ eleven (11) members as the chair. The committee shall make a report to the full Council of its findings and recommendations.

SECTION 2. This resolution shall be in full force and effect upon adoption by the City-County Council.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 32, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Ezra Burdix to the Indianapolis Marion County Building Authority Board of Trustees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 33, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints John Girton to the Telecom and Video Services Agency Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 34, 2014. Introduced by Councillor Hickman. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$28,500 in the 2014 Budget of the Marion County Election Board (HAVA Fund) to purchase equipment to help voters with disabilities, funded by a grant from the Indiana Secretary of State"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 35, 2014. Introduced by Councillors Moriarty Adams and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$20,000 in the 2014 Budget of the Information Services Agency (Enhanced Access Fund) for the creation and development of the Attorney ID card application through LoGO Indiana for the Marion Superior Court"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 36, 2014. Introduced by Councillors Hickman and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$550,000 in the 2014 Budget of the Information Services Agency (Information Services Fund) for expenses related to the ISA capital improvement plan"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 37, 2014. Introduced by Councillor Barth. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Jeremy Stewart to the Indianapolis

City Market Corporation Board of Directors"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 38, 2014. Introduced by Councillors Osili and Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints James T. Kienle to the Indianapolis Historic Preservation Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 39, 2014. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$85,000 in the 2014 Budget of the Department of Metropolitan Development (Redevelopment Fund) for a full-time attorney from the Office of Corporation Counsel dedicated solely to Brownfield litigation, and approves a corresponding transfer of \$85,000 in the 2014 Budget of the Office of Corporation Counsel (Consolidated County Fund) to compensate for the interdepartmental chargebacks and the resources given up for the Brownfield program"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 40, 2014. Introduced by Councillors Gooden and Adamson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$403,516 in the 2014 Budget of the Department of Metropolitan Development (Federal Grants and Consolidated County Funds) in order to utilize prior year federal transportation planning grant awards"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 41, 2014. Introduced by Councillors Adamson, Miller, Osili and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the amounts, locations and programmatic operation of projects to be funded from Community Development Grant Funds "; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 42, 2014. Introduced by Councillors Gray, Lewis and Barth. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Joyce Rogers to the Marion County Health and Hospital Corporation Board of Trustees"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 43, 2014. Introduced by Councillors Mansfield, Barth and Adamson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Lori Kaplan to the Indianapolis Greenways Development Committee"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 44, 2014. Introduced by Councillors Moriarty Adams, Pfisterer and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Jeffrey Catlett to the Early Intervention Planning Council"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 45, 2014. Introduced by Councillors Moriarty Adams and Brown. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Evan Hawkins to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 46, 2014. Introduced by Councillors Moriarty Adams and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Natalie Hipple to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 47, 2014. Introduced by Councillors Moriarty Adams and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Raio Krishnayya to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 48, 2014. Introduced by Councillors Moriarty Adams and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints K. Sue Leonard to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 49, 2014. Introduced by Councillors Moriarty Adams and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Mike Medler to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 50, 2014. Introduced by Councillors Moriarty Adams and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Sidney Eisgruber to the Juvenile Detention Center Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 51, 2014. Introduced by Councillors Gray, Moriarty Adams and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints C.L. Day to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 52, 2014. Introduced by Councillors Moriarty Adams, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Kenneth Adams to the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 53, 2014. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$29,990 and an additional appropriation of \$350,000 in the 2014 Budget of the Marion County Community Corrections (State Grants Fund) to cover work release beds"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 54, 2014. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$318,576 and an additional appropriation of \$50,000 in the 2014 Budget of the Marion County Community Corrections (County Misdemeanant, County General and User Fee Funds) to fund security for the DuValle Residential Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 55, 2014. Introduced by Councillors Lewis and Barth. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves Richard Downing as a

person who may be appointed to certain Common Construction Wage Committees"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 56, 2014. Introduced by Councillors Pfisterer, Lutz and Lewis. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to change the boundaries of the consolidated city and police special service district to reflect the recent disannexation of territory to the Town of Speedway"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 57, 2014. Introduced by Councillor McQuillen. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which agrees to support and provide resources necessary for the City of Indianapolis to host the Super Bowl in 2018"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 58, 2014. Introduced by Councillor McQuillen. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which agrees to support and provide resources necessary for the City of Indianapolis to host the National Collegiate Athletic Association (NCAA) Final Four Men's Basketball Championship"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 66, 2014. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$988,000 in the 2014 Budget of the Indianapolis-Marion County Public Library (Construction Fund) to install an elevator in the Central Library Parking Garage, allowing access to street level and fulfilling commitment to the community to restore parking that was eliminated for the expansion of the Central Library branch"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 76, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Adam Kirsch to the Metropolitan Development Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 19, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 19, 2014 on February 5, 2014. The proposal, sponsored by Councillor Mascari, approves a transfer of \$2,743,011 and an additional appropriation of \$45,769 in the 2014 Budget of the Marion County Sheriff (MECA, County Sex and Violent Offender Administration, Cumulative Capital Improvement Funds) to purchase equipment, software and maintenance to comply with the sex and violent offender registration statutory requirements and to cover personnel costs of the communications division. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:14 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 19, 2014 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Barth, Brown, Evans, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley  
 2 NAYS: Cain, Freeman  
 2 NOT VOTING: Oliver, Osili  
 1 ABSENT: Hunter

Proposal No. 19, 2014 was retitled FISCAL ORDINANCE NO. 4, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 4, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) by transferring a total of \$2,743,011 and appropriating a total of \$45,769 for purposes of the Marion County Sheriff's Office.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
 CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2014 is hereby amended by the increases hereinafter stated for purposes of the Marion County Sheriff's Office.

SECTION 2. The Marion County Sheriff's Office, transfer of appropriations in the MECA fund to cover the Communications Division personnel costs. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
MECA 20152	2,720,000		(2,720,000)			0

SECTION 3. The Marion County Sheriff's Office, transfer and appropriate funds to purchase equipment, software and maintenance to comply with the sex and violent offender registration statutory requirements. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
County Sex and Violent Offender Administration Fund 20481	(23,011)		7,500	15,511		0

SECTION 4. The Marion County Sheriff's Office, appropriation to purchase equipment to comply with the sex and violent offender registration statutory requirements. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Cumulative Capital Improvement 40101				45,769		45,769

SECTION 5. Upon approval of this, and other pending approvals, the 2013 year end and projected 2014 year end fund balances are as follows:

	Projected 2013 year-end balance	Projected 2014 year-end balance
Cumulative Capital Improvement 40101	381,549	1,308,656

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 20, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 20, 2014 on February 5, 2014. The proposal, sponsored by Councillors Moriarty Adams and Pfisterer, approves an additional appropriation of \$64,960 in the 2014 Budget of the Marion Superior Court (Federal and State Grants Funds) to provide training materials and contractual expenses in support of the juvenile detention alternatives initiative and to purchase supplies for the probation department, funded by a grant from the Indiana Department of Correction and the Edward Byrne Memorial Justice Assistant Grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:17 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 20, 2014 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Barth, Brown, Evans, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley  
2 NAYS: Cain, Freeman  
2 NOT VOTING: Oliver, Osili  
1 ABSENT: Hunter

Proposal No. 20, 2014 was retitled FISCAL ORDINANCE NO. 5, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 5, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) by appropriating a total of \$64,960 for purposes of the Marion Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2014 is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court.

SECTION 2. The Marion Superior Court, appropriation in the Federal Grants Fund to purchase training supplies, vests, ammunition and related supplies for the Marion County Probation Department funded by the Edward Byrne Memorial Justice Assistance Grant. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Federal Grants 21001		9,023				9,023

SECTION 3. The Marion Superior Court, appropriation in the State Grants Fund to provide training materials and contractual expenses in support of the Juvenile Detention Alternatives Initiative funded by a grant from the Indiana Department of Correction. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
State Grants 21051		2,400	53,537			55,937

SECTION 4. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 3, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 3, 2014 on February 5, 2014. The proposal, sponsored by Councillors Moriarty Adams and Hunter, amends the Code to change the deadline for IMPD to obtain department accreditation through the commission on accreditation for law enforcement agencies from January 1, 2014 to March 31, 2018. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Simpson, for adoption. Proposal No. 3, 2014 was adopted on the following roll call vote; viz:

*28 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*

*0 NAYS:*

*1 ABSENT: Hunter*

Proposal No. 3, 2014 was retitled GENERAL ORDINANCE NO. 1, 2014, and reads as follows:

#### **CITY-COUNTY GENERAL ORDINANCE NO. 1, 2014**

PROPOSAL FOR A GENERAL ORDINANCE to amend Section 279-105 of the Revised Code to change the deadline for IMPD to obtain department accreditation through the commission on accreditation for law enforcement agencies from January 1, 2014, to March 31, 2018.

#### **BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Sec. 279-105 of the "Revised Code of the Consolidated City and County," is hereby amended by deleting the language that is stricken-through and inserting the language that is underlined, to read as follows:

Sec. 279-105. National accreditation.

On or before ~~January 1, 2014~~ March 31, 2018, the Indianapolis Metropolitan Police Department shall obtain department accreditation through the commission on accreditation for law enforcement agencies. The chief of the department and the director of the department of public safety shall be jointly responsible for obtaining such accreditation.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 4, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 4, 2014 on February 5, 2014. The proposal, sponsored by Councillors Osili, Moriarty Adams, Barth, Simpson, Gooden, Lutz, Gray, Miller, Lewis, Robinson, Brown, Oliver, amends the Code by adding a new Chapter 671 regarding the employment of ex-offenders. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Osili said that this is a national movement and does not eliminate the ability to do background checks, but everyone makes mistakes and those who own up to their mistakes, pay for them and demonstrate that they have learned from them, should be given a fair shot and another chance. He said that 70% of companies in Indiana already have the ban, and 4.8 million adults in Indiana have a criminal record. This has a significant impact on hiring outcomes, and



has reduced call-backs by 50%. Unemployment costs are higher because ex-offenders cannot get a job, and consequently recidivism is 51% in Marion County because of unemployment. It is a matter of public safety and economy. Councillor Osili made the following motion:

Madam Chair:

I move to amend Proposal No. 4, 2014, as previously amended in committee, by deleting the highlighted language that is stricken-through and adding the highlighted language that is underlined, to read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. , 2014

A PROPOSAL FOR A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County by adding a new Chapter 671 regarding employment of ex-offenders.

WHEREAS, approximately 5,000 men and women are released into Marion County from prisons and jails every year; and

WHEREAS, during the last few years, approximately 51% of those released into Marion County have returned to incarceration within three years of their release date; and

WHEREAS, the average annual cost for an incarcerated offender is more than \$25,000; and

WHEREAS, reducing the rate of recidivism would have significant economic and public safety benefits in addition to increasing the number of productive members of our community; and

WHEREAS, "BAN THE BOX" is a national movement with the goal of increasing employment opportunities for individuals with prior criminal convictions by removing questions regarding prior criminal history from employment applications; and

WHEREAS, hiring practices that consider the past criminal history of applicants without a justifying business necessity can prevent willing and qualified job applicants from obtaining gainful employment; and

WHEREAS, research shows that the lack of employment is a significant cause of recidivism, that employed individuals are less likely to be re-arrested, and that the age of the offender at the time of offense and the length of time since that offense are important factors to consider because likelihood of re-offense diminishes significantly almost to that of the general population, and sometimes below that of the general population, after less than eight years for almost all types of non-violent offenses; and

WHEREAS, many cities throughout the United States, including Boston, Chicago, Minneapolis, St. Paul, San Francisco, and Philadelphia have adopted new employment applications in support of the "BAN THE BOX" initiative; and

WHEREAS, the Consolidated City of Indianapolis and Marion County (City) is committed to ensuring that all qualified individuals seeking employment within the City should be given an equal opportunity to apply for available positions; and

WHEREAS, the City believes that providing an equal opportunity includes extending employment opportunities to qualified individuals who have been released from incarceration and are rebuilding their lives; and

WHEREAS, the City has the obligation to act as a model employer, not only employing individuals with prior convictions itself, but promoting this to the private sector as well; and

WHEREAS, the City engages in contracts with numerous vendors ~~and provides economic incentives to numerous recipients~~, who in turn employ hundreds of individuals/employees; and

WHEREAS, the City has the responsibility to ensure that the vendors it engages for contracts ~~and the recipients of economic incentives~~ have fair policies, practices and standards relating to the screening and identification of individuals with prior criminal convictions; and

WHEREAS, it is the intent and purpose of this ordinance to ensure that the City and the vendors it engages for contracts ~~and the recipients of economic incentives~~ implement just and fair measures and practices when screening and identifying eligible individuals for employment, regardless of whether they have prior convictions or arrests; and

~~WHEREAS, the City recognizes that State and/or federal laws may require criminal background investigations for certain positions, including positions that involve work with children, positions in law enforcement, and other sensitive positions; and~~

WHEREAS, the City recognizes that its vendors ~~and recipients of economic incentives~~ will have to continue to comply with State and/or federal laws in conducting required and necessary background investigations, while also balancing the interest in providing opportunities for employment to those who have prior convictions in positions in which there are no statutory prohibitions against employment; and

WHEREAS, it is the intent and purpose of this ordinance to assist in the successful reintegration of formerly incarcerated individuals into the community by removing the barriers to gainful employment; and

WHEREAS, it is the intent and purpose of this ordinance to refrain from and eliminate hiring policies, practices and standards that artificially limit an applicant pool by discouraging individuals with prior convictions from applying for employment; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Revised Code of the Consolidated and County is hereby amended by adding a new Chapter 671, to read as follows:

CHAPTER 671 – EMPLOYMENT OF EX-OFFENDERS

**Sec. 671-101. Definitions**

As used in this Chapter the following terms have the following meanings:

(1) "Applicant" means any person considered or who requests to be considered for employment by a City or County agency or vendor ~~or recipient of an economic incentive~~.

(2) "City or County agency" means ~~the City, or any City~~ any office, department, agency, board or commission of the Consolidated City of Indianapolis and Marion County.

(3) "Employee" means all persons engaged in the operation or conduct of any business, whether as owner, any member of owner's family, partner, associate, agent, manager, or representative, and any and all other persons engaged or employed in said business.

(4) "Employment" means any occupation, vocation, job, work for pay or employment, including temporary or seasonal work, contracted work, contingent work and work through the services of a temporary or other employment agency; or any form of vocational or educational training with or without pay. "Employment" shall not, for the purposes of this Chapter, include membership in any law enforcement agency.

(5) "Conviction" means any sentence arising from a verdict or plea of guilty or nolo contendere, including a sentence of incarceration, a suspended sentence, a sentence of probation or a sentence of unconditional discharge.

(6) "Inquiry" means any direct or indirect conduct intended to gather information, using any mode of communication.

(7) "Interview" means any direct contact by the employer with the applicant, whether in person or by telephone, to discuss the employment being sought or the applicant's qualifications.

(8) "License" means any certificate, license, permit, authorization or grant of permission required by the City as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. "License" shall not, for the purposes of this Chapter, include any license, authorization or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

(9) "Vendor" means any person or entity which employs the equivalent of ten (10) or more full-time employees in its total workforce and which holds or enters into a contract with a City or County agency.

(10) ~~"Recipient" means any individual, partnership, association, organization, corporation, or other entity, whether public or private, which is currently located in Marion County, and which receives an economic incentive.~~

(11) ~~"Economic Incentive" means any of the following benefits:~~

- ~~a. Grants or loans of tax increment funds, including bond sale proceeds;~~
- ~~b. Real property tax abatement;~~
- ~~c. Personal property tax abatement;~~
- ~~d. Economic development revenue bonds and proceeds;~~
- ~~e. Loans and loan guarantees;~~
- ~~f. General obligation bonds and proceeds;~~
- ~~g. Certified technology parks;~~
- ~~h. Income tax adjustments, deductions and exemptions;~~
- ~~i. Cash transfers;~~
- ~~j. Transfers of real or personal property not made at fair market value; and~~
- ~~k. Any other form of public financing that lowers the project cost to the Recipient.~~

**Sec. 671-102. Ban-the-Box**

In connection with printed and/or on-line employment application forms of a City or County agency or vendor ~~or recipient of an economic incentive~~, it shall be an unlawful discriminatory practice for them to contain a "Box" or inquiry regarding an applicant's prior criminal history.

**Sec. 671-103. Unlawful Discriminatory Practice - Arrestees**

To prohibit unfair discrimination against persons previously arrested for one or more criminal offenses:

In connection with the licensing or employment of any person, it shall be an unlawful discriminatory practice for a City or County agency or vendor ~~or recipient of an economic incentive~~ to make any inquiry about or to take any adverse action against any person on the basis of any arrest or criminal accusation made against such person, which is not then pending against that person and which did not result in a conviction. It shall further be an unlawful discriminatory practice for a City or County agency or vendor ~~or recipient of an economic incentive~~ to require any person to disclose or reveal any arrest or criminal accusation made against such person which is not then pending against that person and which did not result in a conviction.

**Sec. 671-104. Unlawful Discriminatory Practice – Ex-Offenders**

To prohibit unfair discrimination against persons previously convicted of one or more criminal offenses:

(a) In connection with the licensing or employment of any person, it shall be an unlawful discriminatory practice for a City or County agency or vendor ~~or recipient of an economic incentive~~ to make any inquiry regarding or to require any person to disclose or reveal any criminal convictions during the application process. The application process shall begin when the applicant inquires about the employment being sought and shall end when an employer has accepted an employment application.

(b) It shall further be an unlawful discriminatory practice for a City or County agency or vendor ~~or recipient of an economic incentive~~ to make any inquiry regarding, or to require any person to disclose or reveal any criminal convictions against such person before and during the first interview. If an employer does not conduct an interview, that employer is prohibited from making any inquiries or gathering any information regarding the applicant's criminal convictions. If the applicant voluntarily discloses any information regarding his or her criminal convictions at the interview, the employer may discuss the criminal conviction disclosed by the applicant.

**Sec. 671-105. EEOC Guidelines**

It is the policy of the City to provide equal employment opportunities for qualified individuals without discrimination. Under federal law, the Equal Employment Opportunity Commission ("EEOC") prohibits the use of criminal records as a measure to exclude an applicant from employment without considering the following four (4) factors:

- (1) whether the applicant committed the offense (if only an arrest);
- (2) the nature and gravity of the offense;
- (3) the time since the offense; and,
- (4) the nature of the job for which the applicant has applied.

In accordance with EEOC guidelines, any City or County agency or vendor ~~or recipient of an economic incentive~~ shall consider the above factors when deciding to offer employment to an applicant with a prior criminal conviction(s).

**Sec. 671-106. City Contracts and Economic Incentives**

(a) The City shall only conduct business with vendors ~~and recipients of economic incentives~~ that have adopted and implemented policies, practices and standards, regarding an applicant's prior criminal history, that are consistent with the City's policies, practices and standards, except where state and/or federal laws may require criminal background investigations for certain positions, including positions that involve work with children, positions in law enforcement, and other sensitive positions.

(b) The party responsible for awarding City contracts ~~and economic incentives~~ shall review all vendors' policies, practices and standards for the hiring of applicants with prior criminal convictions to ensure that the vendors' practices, policies and standards are consistent with the City's policies, practices and standards.

(c) The vendors' policies, practices and standards on employing applicants with prior criminal convictions shall be made a part of the criteria to be considered by the City when awarding contracts and economic incentives.

**Sec. 671-107. Exemptions**

(1) An employer hiring for positions where certain convictions or violations are a bar to employment in that position under state or Federal law, including but not limited to positions that involve work with children and positions in law enforcement, shall not be constrained from asking questions about those convictions or violations.

(2) An employer hiring for licensed trades or professions, including positions such as interns and apprentices for such licensed positions, may ask applicants the same questions asked by the trade or professional licensing body, in accordance with state law.

(3) The prohibitions of this Chapter shall not apply if the inquiries or adverse actions prohibited herein are specifically authorized by any other applicable law.

**Sec. 671-108. Enforcement**

(a) Each violation of this Chapter shall be punishable as provided in Section 103-3 of the Code.

(b) The City shall keep a record of all violations of the application provisions established by this Chapter. A history of violation of this Chapter's provisions shall be a factor which is considered by the City when deciding upon any future awards of contracts ~~or economic incentives~~ to the affected employer and may form the basis for denying any future contracts ~~or economic incentives~~ to the affected employer.

(c) The Mayor's office or such other office or agency as the Mayor shall designate, shall administer and enforce this Chapter and shall make a report on all such complaints, investigations and reviews to the City-County Council on a quarterly basis.

SECTION 2. In the event any provision (s) of this ordinance is held to be invalid by a court of competent jurisdiction, such provision (s) shall have no force or effect on the remaining provisions.

SECTION 3. This ordinance shall be in full force and effect from and after 90 days after adoption and compliance with IC 36-3-4-14.

Councillor Mascari seconded the motion.

Councillor Sandlin asked if the changes to Sec. 671-104 are still consistent with the fair credit reporting act requirements. Mr. Biesecker said that it is not inconsistent.

The motion to amend Proposal No. 4, 2014 carried on the following roll call vote; viz:

*27 YEAS: Adamson, Barth, Brown, Cain, Evans, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*1 NAY: Freeman*  
*1 ABSENT: Hunter*

Councillor Lutz said that this is critically important, and people should not be penalized twice for a crime. The criminal code stresses reformation, not retribution. He said that this is a small step they can take to help the 5,000 people coming back to Marion County from the Department of Corrections who do not want to go back, but yet still need to feed their families. He said that he does not like to put a lot of hurdles on small businesses, but this is not a hurdle, and it gives applicants a chance to come in and talk to the employer personally, and they deserve that right if they have paid their debt to society. He said that continuing to hold it against them violates their constitutional rights, and he strongly supports the proposal and urges others to also support.

Councillor Pfisterer said that she would like to be added as a co-sponsor and a vast number of ex-offenders come back to her zip code, and she wants them to have a chance. It is a tough job to find ex-offenders employment with a livable wage, and she supports this effort.

Councillor Brown said that he voted against the amendment in committee, because it took away from economic development. However, he supports the proposal 100%.

Councillor Hickman said that as an owner of a small business, he has hired a lot of people, and has never fired anyone because of their past. She asked to also be added as a sponsor.

Councillor Freeman said that he will probably be the lone “no” vote, but every action the legislative body takes results in a reaction. He said that he has no problem with 95% of what this ordinance says to help ex-offenders, but as an employer, he would want to know. He said that this is telling employers that they shall not conduct business with vendors that also do not adopt this language. He said that this would eliminate good companies they could do business with. He added that this makes it unlawful to make any inquiry, but he feels it is important for employers to know who is working for them. He said that they certainly do not want a former sex offender working in the parks department, and therefore, he will oppose the proposal.

Councillor Miller said that he has watched Councillor Osili fight for this initiative, and he has been an advocate for the ex-offender.

Councillor Moriarty Adams moved, seconded by Councillor Osili, for adoption. Proposal No. 4, 2014 was adopted on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Brown, Cain, Evans, Gooden, Gray, Hickman, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*2 NAYS: Freeman, Holliday*  
*0 NOT VOTING:*  
*1 ABSENT: Hunter*

Proposal No. 4, 2014, as amended, was retitled GENERAL ORDINANCE NO. 2, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 2, 2014

A PROPOSAL FOR A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County by adding a new Chapter 671 regarding employment of ex-offenders.

WHEREAS, approximately 5,000 men and women are released into Marion County from prisons and jails every year; and

WHEREAS, during the last few years, approximately 51% of those released into Marion County have returned to incarceration within three years of their release date; and

WHEREAS, the average annual cost for an incarcerated offender is more than \$25,000; and

WHEREAS, reducing the rate of recidivism would have significant economic and public safety benefits in addition to increasing the number of productive members of our community; and

WHEREAS, "BAN THE BOX" is a national movement with the goal of increasing employment opportunities for individuals with prior criminal convictions by removing questions regarding prior criminal history from employment applications; and

WHEREAS, hiring practices that consider the past criminal history of applicants without a justifying business necessity can prevent willing and qualified job applicants from obtaining gainful employment; and

WHEREAS, research shows that the lack of employment is a significant cause of recidivism, that employed individuals are less likely to be re-arrested, and that the age of the offender at the time of offense and the length of time since that offense are important factors to consider because likelihood of re-offense diminishes significantly almost to that of the general population, and sometimes below that of the general population, after less than eight years for almost all types of non-violent offenses; and

WHEREAS, many cities throughout the United States, including Boston, Chicago, Minneapolis, St. Paul, San Francisco, and Philadelphia have adopted new employment applications in support of the "BAN THE BOX" initiative; and

WHEREAS, the Consolidated City of Indianapolis and Marion County (City) is committed to ensuring that all qualified individuals seeking employment within the City should be given an equal opportunity to apply for available positions; and

WHEREAS, the City believes that providing an equal opportunity includes extending employment opportunities to qualified individuals who have been released from incarceration and are rebuilding their lives; and

WHEREAS, the City has the obligation to act as a model employer, not only employing individuals with prior convictions itself, but promoting this to the private sector as well; and

WHEREAS, the City engages in contracts with numerous vendors, who in turn employ hundreds of individuals/employees; and

WHEREAS, the City has the responsibility to ensure that the vendors it engages for contracts have fair policies, practices and standards relating to the screening and identification of individuals with prior criminal convictions; and

WHEREAS, it is the intent and purpose of this ordinance to ensure that the City and the vendors it engages for contracts implement just and fair measures and practices when screening and identifying eligible individuals for employment, regardless of whether they have prior convictions or arrests; and

WHEREAS, the City recognizes that its vendors will have to continue to comply with State and/or federal laws in conducting required and necessary background investigations, while also balancing the interest in providing opportunities for employment to those who have prior convictions in positions in which there are no statutory prohibitions against employment; and

WHEREAS, it is the intent and purpose of this ordinance to assist in the successful reintegration of formerly incarcerated individuals into the community by removing the barriers to gainful employment; and

WHEREAS, it is the intent and purpose of this ordinance to refrain from and eliminate hiring policies, practices and standards that artificially limit an applicant pool by discouraging individuals with prior convictions from applying for employment; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Revised Code of the Consolidated and County is hereby amended by adding a new Chapter 671, to read as follows:

CHAPTER 671 – EMPLOYMENT OF EX-OFFENDERS

**Sec. 671-101. Definitions**

As used in this Chapter the following terms have the following meanings:

(2) "Applicant" means any person considered or who requests to be considered for employment by a City or County agency or vendor.

(2) "City or County agency" means any office, department, agency, board or commission of the Consolidated City of Indianapolis and Marion County.

(3) "Employee" means all persons engaged in the operation or conduct of any business, whether as owner, any member of owner's family, partner, associate, agent, manager, or representative, and any and all other persons engaged or employed in said business.

(4) "Employment" means any occupation, vocation, job, work for pay or employment, including temporary or seasonal work, contracted work, contingent work and work through the services of a temporary or other employment agency; or any form of vocational or educational training with or without pay. "Employment" shall not, for the purposes of this Chapter, include membership in any law enforcement agency.

(5) "Conviction" means any sentence arising from a verdict or plea of guilty or nolo contendere, including a sentence of incarceration, a suspended sentence, a sentence of probation or a sentence of unconditional discharge.

(6) "Inquiry" means any direct or indirect conduct intended to gather information, using any mode of communication.

(7) "Interview" means any direct contact by the employer with the applicant, whether in person or by telephone, to discuss the employment being sought or the applicant's qualifications.

(8) "License" means any certificate, license, permit, authorization or grant of permission required by the City as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. "License" shall not, for the purposes of this Chapter, include any license, authorization or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

(9) "Vendor" means any person or entity which employs the equivalent of ten (10) or more full-time employees in its total workforce and which holds or enters into a contract with a City or County agency.

**Sec. 671-102. Ban-the-Box**

In connection with printed and/or on-line employment application forms of a City or County agency or vendor, it shall be an unlawful discriminatory practice for them to contain a "Box" or inquiry regarding an applicant's prior criminal history.

**Sec. 671-103. Unlawful Discriminatory Practice - Arrestees**

To prohibit unfair discrimination against persons previously arrested for one or more criminal offenses:

In connection with the licensing or employment of any person, it shall be an unlawful discriminatory practice for a City or County agency or vendor to make any inquiry about or to take any adverse action against any person on the basis of any arrest or criminal accusation made against such person, which is not then pending against that person and which did not result in a conviction. It shall further be an unlawful discriminatory practice for a City or County agency

or vendor to require any person to disclose or reveal any arrest or criminal accusation made against such person which is not then pending against that person and which did not result in a conviction.

**Sec. 671-104. Unlawful Discriminatory Practice – Ex-Offenders**

To prohibit unfair discrimination against persons previously convicted of one or more criminal offenses:

(a) In connection with the licensing or employment of any person, it shall be an unlawful discriminatory practice for a City or County agency or vendor to make any inquiry regarding or to require any person to disclose or reveal any criminal convictions during the application process. The application process shall begin when the applicant inquires about the employment being sought and shall end when an employer has accepted an employment application.

(b) It shall further be an unlawful discriminatory practice for a City or County agency or vendor to make any inquiry regarding, or to require any person to disclose or reveal any criminal convictions against such person before and during the first interview. If an employer does not conduct an interview, that employer is prohibited from making any inquiries or gathering any information regarding the applicant's criminal convictions.

**Sec. 671-105. EEOC Guidelines**

It is the policy of the City to provide equal employment opportunities for qualified individuals without discrimination. Under federal law, the Equal Employment Opportunity Commission ("EEOC") prohibits the use of criminal records as a measure to exclude an applicant from employment without considering the following four (4) factors:

- (1) whether the applicant committed the offense (if only an arrest);
- (2) the nature and gravity of the offense;
- (3) the time since the offense; and,
- (4) the nature of the job for which the applicant has applied.

In accordance with EEOC guidelines, any City or County agency or vendor shall consider the above factors when deciding to offer employment to an applicant with a prior criminal conviction(s).

**Sec. 671-106. City Contracts and Economic Incentives**

(a) The City shall only conduct business with vendors that have adopted and implemented policies, practices and standards, regarding an applicant's prior criminal history, that are consistent with the City's policies, practices and standards, except where state and/or federal laws may require criminal background investigations for certain positions, including positions that involve work with children, positions in law enforcement, and other sensitive positions.

(b) The party responsible for awarding City contracts shall review all vendors' policies, practices and standards for the hiring of applicants with prior criminal convictions to ensure that the vendors' practices, policies and standards are consistent with the City's policies, practices and standards.

(c) The vendors' policies, practices and standards on employing applicants with prior criminal convictions shall be made a part of the criteria to be considered by the City when awarding contracts and economic incentives.

**Sec. 671-107. Exemptions**

(1) An employer hiring for positions where certain convictions or violations are a bar to employment in that position under state or Federal law, including but not limited to positions that involve work with children and positions in law enforcement, shall not be constrained from asking questions about those convictions or violations.

(2) An employer hiring for licensed trades or professions, including positions such as interns and apprentices for such licensed positions, may ask applicants the same questions asked by the trade or professional licensing body, in accordance with state law.

(3) The prohibitions of this Chapter shall not apply if the inquiries or adverse actions prohibited herein are specifically authorized by any other applicable law.



**Sec. 671-108. Enforcement**

(a) Each violation of this Chapter shall be punishable as provided in Section 103-3 of the Code.

(b) The City shall keep a record of all violations of the application provisions established by this Chapter. A history of violation of this Chapter's provisions shall be a factor which is considered by the City when deciding upon any future awards of contracts to the affected employer and may form the basis for denying any future contracts to the affected employer.

(c) The Mayor's office or such other office or agency as the Mayor shall designate, shall administer and enforce this Chapter and shall make a report on all such complaints, investigations and reviews to the City-County Council on a quarterly basis.

SECTION 2. In the event any provision (s) of this ordinance is held to be invalid by a court of competent jurisdiction, such provision (s) shall have no force or effect on the remaining provisions.

SECTION 3. This ordinance shall be in full force and effect from and after 90 days after adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 17, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 17, 2014 on February 3, 2014. The proposal, sponsored by Councillor Gooden, approves the remarketing of bonds issued for the Nora Commons Apartment project in an original aggregate combined principal amount of \$14,840,000 and the substitution of an alternate letter of credit thereon, which project consists of a 272-unit apartment community to be located at 8801 Evergreen Avenue (District 3). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Mahern asked if this recipient of economic development benefits does not have to comply with the ban the box language that was just passed. Mr. Biesecker stated that they do not. Councillor Mahern said that the ban the box initiative should apply to everything, including handouts like these.

Councillor Robinson moved, seconded by Councillor Gooden, for adoption. Proposal No. 17, 2014 was adopted on the following roll call vote; viz:

*27 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*1 NAY: Mahern*  
*1 ABSENT: Hunter*

Proposal No. 17, 2014 was retitled SPECIAL RESOLUTION NO. 12, 2014, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 12, 2014**

A SPECIAL RESOLUTION approving the remarketing of the "City of Indianapolis, Indiana, Variable Rate Demand Limited Obligation Multifamily Housing Revenue Bonds, Series 2004A and Series 2004B (Nora Commons)" issued in an original aggregate combined principal amount of \$14,840,000, substitution of an alternate letter of credit thereon and amendments to the trust indentures therefore.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer"), is authorized by IC 36-7-11.9 and 12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition and construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by a company; and

WHEREAS, Nora Commons, L.P. (the “Borrower”), has previously requested that the Issuer issue one or more series of bonds and lend the proceeds thereof to the Borrower to enable the Borrower to undertake and complete the new construction of a 272-unit apartment community to be located at 8801 Evergreen Avenue, Indianapolis, Indiana in City-County Council District 3 (the “Project”); and

WHEREAS, the Indianapolis Economic Development Commission (the “Commission”) has previously rendered a report of the Commission concerning the proposed financing of economic development facilities for the Borrower and the Commission gave the Metropolitan Development Commission of Marion County the opportunity to comment thereon pursuant to Indiana Code, Title 36, Article 7, Chapter 12, Section 23(b); and

WHEREAS, the Issuer pursuant to and in accordance with the Act and a Trust Indenture, dated as of December 1, 2004, between the Issuer and LaSalle Bank National Association (as predecessor to U.S. Bank National Association) (the “Trustee”) (the “Series A Indenture”) has previously issued its Variable Rate Demand Limited Obligation Multifamily Housing Revenue Bonds, Series 2004A (Nora Commons) (the “Series A Bonds”) and pursuant to and in accordance with the Act and a Trust Indenture dated as of December 1, 2004, between the Issuer and the Trustee (the “Series B Indenture” and together with the Series A Indenture, the “Indentures”) has previously issued its Variable Rate Demand Limited Obligation Multifamily Housing Revenue Bonds, Series B (Nora Commons) (the “Series B Bonds,” and collectively with the Series A Bonds, “the Bonds”), each dated December 8, 2004, respectively, in the combined aggregate principal amount of \$14,840,000 for the purpose of providing funds to finance the Project; and

WHEREAS, the Series A Bonds were secured by a letter of credit issued by LaSalle Bank National Association, the letter of credit bank, dated December 7, 2004 (the “2004A Letter of Credit”); and

WHEREAS, the 2004A Letter of Credit will terminate on December 1, 2014; and

WHEREAS, the Series B Bonds were secured by a letter of credit issued by the Federal Home Loan Bank of Indianapolis, the letter of credit bank, dated December 8, 2004 (the “2004B Letter of Credit”); and

WHEREAS, the 2004B Letter of Credit will terminate on December 1, 2014;

WHEREAS, pursuant to Sections 409(c) of the Indentures, the Borrower may, at its option upon approval of the Issuer, provide for the delivery to the Trustee of an Alternate Letter of Credit (as defined in the Indentures) to take effect on a date selected by the Borrower (the “Replacement Date”); and

WHEREAS, pursuant to Sections 214(c) of the Indentures, the Bonds are subject to mandatory purchase upon the substitution of an Alternate Letter of Credit at a purchase price of 100% of the principal amount of the Bonds plus accrued interest to the Replacement Date; and

WHEREAS, upon satisfaction of certain conditions, Fifth Third Bank or another bank acceptable to the Issuer and the Borrower (the “Bank”) has offered or will offer to issue a letter of credit (the “2014 Letter of Credit”), securing the Bonds; and

WHEREAS, the Indentures permit an amendment thereto under each Section 802, respectively, and the Issuer desires to enter into such amendments (the “First Amendments”) in order to conform the Indentures to current market conditions; and

WHEREAS, in order to satisfy the requirement that the Issuer reissue, remarket or arrange for the purchase of the Bonds that have been tendered (the “Tendered Bonds”), the Borrower has entered into a remarketing agreement (the “Remarketing Agreement”), pursuant to which a remarketing agent has agreed to use its best efforts to remarket the Tendered Bonds; and

WHEREAS, it is necessary in order to complete the arrangements for and to consummate the above-referenced transaction and the Issuer desires to authorize the Mayor of the City of Indianapolis, Indiana (the “Mayor”) and the Clerk of the City of Indianapolis, Indiana (the “Clerk”) to approve the First Amendments; a reoffering memorandum (the “Reoffering Memorandum”), to be delivered in connection with the remarketing of the Bonds, together with all other documents and certificates executed in connection with the Bonds to which the Issuer is a party (collectively, the “Bond Documents”); now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Issuer hereby approves the substantially final form of the Bond Documents. The Bond Documents are attached hereto and incorporated herein by reference.

SECTION 2: The Mayor and the City Clerk are hereby authorized and directed, for and on behalf of the Issuer, to execute and attest all such documents (including the Bond Documents), instruments, certificates and closing papers and do all such acts and things as the executive official, upon advice of counsel, determines necessary or desirable to carry out the intent or terms of the Resolution, the Indentures or other agreements of the Issuer or to take any other action necessary or desirable to carry out the purposes and intent of this Resolution, and such determination shall be conclusively evidenced by their execution including any amendment or supplement to the Bond Documents or the Remarketing Agreement.

The Mayor and the City Clerk are hereby expressly authorized to approve any modifications or additions to the Bond Documents which take place after the date of this Resolution with the review and advice of counsel to the Issuer; it being the express understanding of the Issuer that said Bond Documents are in substantially final form as of the date of this Resolution. The approval of said modifications or additions shall be conclusively evidenced by the execution and attestation thereof.

SECTION 3. The provisions of this Resolution and the Indenture securing the Bonds shall constitute a contract binding between the Issuer and the holders of the Bonds, and after the remarketing of said Bonds, this Resolution shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said Bonds or the interest thereon remains unpaid.

SECTION 4. If any section, paragraph or provisions of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 5. All resolutions, or parts thereof, in conflict with the provisions of this Resolution, are, to the extent of such conflict, hereby repealed and/or amended.

SECTION 6. This Resolution shall be effective upon passage.

PROPOSAL NO. 22, 2014. Councillor Barth stated that the Rules and Public Policy Committee heard Proposal No. 22, 2014 on February 18, 2014. The proposal, sponsored by Councillor Mansfield, amends the Code to provide a procedure for cancellation of a council meeting due to severe weather or other emergency. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Barth moved, seconded by Councillor Mansfield, for adoption. Proposal No. 22, 2014 was adopted on the following roll call vote; viz:

*27 YEAS: Adamson, Barth, Brown, Cain, Evans, Gooden, Gray, Hickman, Holliday, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*1 NAY: Freeman*  
*1 ABSENT: Hunter*

Proposal No. 22, 2014 was retitled GENERAL ORDINANCE NO. 3, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 3, 2014

PROPOSAL FOR A GENERAL ORDINANCE amending Section 151-4 of the Revised Code to provide a procedure for cancellation of a council meeting due to severe weather or other emergency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 151-4 of the "Revised Code of the Consolidated City and County" is hereby amended by adding the underscored language, to read as follows:

**Sec. 151-4. Days, time and place of regular meetings.**

Regular meetings shall be held at least once each month on such dates and at such times as the council shall establish by resolution adopted at least forty-five (45) days prior to such meeting. If no such dates are so established, the regular meeting shall be held on the first Monday of each month at 7:00 p.m. prevailing local time, in the council chamber, on the second floor of the city-county building in Indianapolis. In the event that the date of the regular meeting is on a holiday observed by state law or local ordinance for employees of the consolidated city, the regular meeting shall be held on the next succeeding day that is not such a holiday nor a Saturday, or Sunday, unless the council, by a majority vote at a prior meeting, shall cancel the meeting or postpone it to another date. The time or place of any regular meeting may be changed by majority vote at a prior regular meeting.

In addition, in the event of severe weather or other emergency making it unsafe or impractical for councillors, staff, and the public to travel to or from a regular meeting, the meeting may be cancelled by a majority vote of the president, majority leader and minority leader of the council. This vote shall be documented by e-mail, text, or facsimile, and conference calls may be used for initial discussions.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**NEW BUSINESS**

Councillor Sandlin said that this has been a tough week for public safety in Indianapolis, with fire and emergency medical personnel dealing with a fatal fire and that investigation and exhausted homicide detectives making four arrests this afternoon. He asked the community and members of the Council to stop and thank public safety personnel as they see them throughout the community, as they face tough situations every day and seldom receive thanks. He added that the Indianapolis Fire Department is hosting a stew night at the Survive Alive building on Massachusetts Avenue on Wednesday from 5:00 to 8:00 p.m., and he invited everyone to visit the memorial and meet with firefighters.

Councillor Barth invited everyone to the second IMPD Staffing Study Commission meeting at the Library Services Center, where three national experts will speak.

**ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor McQuillen stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor All in memory of Dr. Beurt R. SerVaas and Julia C. Shattuck; and
- (2) Councillor McQuillen in memory of Alvin David Schaaf, Jr.; and
- (3) Councillor Lewis in memory of Bristine Webb; and
- (4) Councillor Talley in memory of Verlane Marshall; and
- (5) Councillor Pfisterer in memory of George R. Kitcoff; and
- (6) Councillor Gray in memory of Milton L. Baltimore, Jr.; and
- (7) Councillor Moriarty Adams in memory of Harry Rose, Mary Agnes Branson, Gertrude Ray, and Elizabeth Mae Eyler Ruhmkorff.

Councillor McQuillen moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Dr. Beurt R. SerVaas, Julia C. Shattuck, Alvin David Schaaf, Jr., Bristine Webb, Verlane Marshall, George R. Kitcoff, Milton L. Baltimore, Jr., Harry Rose, Mary Agnes Branson, Gertrude Ray, and Elizabeth Mae

February 24, 2014

Eyler Ruhmkorff. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:55 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 24th day of February 24, 2014.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)